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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/546,993	04/11/2000	David Philip Tong	P2807	4578

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WASHINGTON, DC 20004

EXAMINER

FOULADI SEMNANI, FARANAK

ART UNIT PAPER NUMBER

2672

DATE MAILED: 10/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/546,993

Applicant(s)

TONG, DAVID PHILIP

Examiner

Faranak Fouladi

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to communications: application, filed on 04/11/00; Amendment A, filed on 07/24/02.
2. Claims 1-6 are pending in the case, with claims 1, 3 and 6 being independent.
3. New dependent claim 5 and independent claim 6 have been added.
4. The present title of the application is "Method and Computer Program Product for Reducing Colormap Flashing" (as originally filed).

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Young US patent 5,703,627 [Date of Patent 12/30/1997].

7. As per independent claim 1, "a method for reducing colormap flashing on a display system, the display system having a frame buffer which provides a single hardware colormap, the method comprising the steps of:

Intercepting a request from an application program for an allocation of a private colormap; and transparently simulating the allocation of the private colormap using a

default colormap." Young discloses in col. 6 lines 57-62, col. 5 lines 2-5, and Abstract line 1-28.

Young discloses in col. 6 lines 57-62 that default colormap sharing is implemented at the time in which a client is defining its private colormap color values.

8. As per independent claim 6, "a method for reducing colormap flashing on a display system, the display system having a frame buffer which provides a single hardware colormap, the method comprising the steps of:

Intercepting a request from an application program for an allocation of a private colormap; and transparently simulating the allocation of the private colormap using a default colormap; and determining whether a private color cell has been requested by the application program and writing said private color cell to the default colormap." Young discloses in col. 6 lines 57-62, col. 5 lines 2-5, and Abstract line 1-28.

Young also discloses in col. 5 lines 57-62 that color values from private color map being copied into free cells of a shared default map.

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Young as applied to claim 1 above, and further in view of Aschenbrenner et al. [US 5406310].

11. As per dependent claim 2, "...wherein said step of transparently simulating the allocation of the private colormap further comprises: allocating a secondary lookup table for storing information received from said application program relating to one or more requested colors privately allocated by said application program, performing a closest match of said requested color to a color stored in said default colormap; and returning said closest match to said application program." Young disclose all the limitations set forth in claim 1 but Young does not teach performing a closest match of said requested color to a color stored in said default colormap.

Aschenbrenner et al. discloses col. 6 lines 22-31 and col. 6 lines 48-51 the process of finding the closest color match of requested color to a color stored in default colormap and returning said closest match to said application.

It would have been obvious to an ordinary person skilled in the art at the time of invention to combine the method for reducing colorflashing of Young with the closest color matching of Aschenbrenner et al. to be able to always find a color for the image colors even if the colormap is full.

12. Claims 3, and 4 recite a computer-readable medium storing a computer usable code storage medium for executing the method of claims 1 and 2. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have implemented the method of claims 3 and 4 as computer executable

instructions stored on a computer-readable medium so that the method of claims 1 and 2 can be ported to other computer systems.

***Response to Arguments***

13. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 form.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Faranak Fouladi** whose telephone number is **703-305-3223**. The examiner can normally be reached on Mon-Fri from 8:00-4:30.
16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Michael Razavi** can be reached at **703-305-4713**.
17. **Any response to this action should be mailed to:**
- Commissioner of Patents and Trademarks  
Washington, DC. 20231
18. **Or faxed to: 703-872-9314 (for Technology Center 2600 only)**

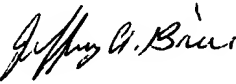
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Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA, sixth-floor (Receptionist).

19. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Faranak Fouladi-Semnani  
Patent Examiner  
Art Unit 2672

  
JEFFERY BRIEN  
PRIMARY EXAMINER